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January 23, 2025

VIA ECF

Hon. Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Cruz v. West 4th Marketplace, Inc., et al.
Case No. 24-CV-7532 (VSB)


Dear Judge Broderick:

This firm represents Plaintiff in the above-referenced matter. We write in response to the Court's January 9, 2025 Order (ECF No. 13) regarding default judgment. We respectfully request that Plaintiff's deadline to move for a default judgment be adjourned *sine die*.

Plaintiff has determined that she must engage in discovery to obtain the identity of the individual Defendant (whose full name she does not know) and any other potential employers under the FLSA and NYLL. Since Plaintiff was paid in cash and did not receive any paperwork, she was never provided with any information regarding the owners and operators of the businesses. Plaintiff therefore wishes to take discovery to obtain this information. Williams v. NRS Billing Servs., LLC, No. 16-cv-75, 2016 U.S. Dist. LEXIS 98101 (W.D.N.Y. July 27, 2016) (nondefaulting party could take discovery from defaulting party). Plaintiff intends to serve a subpoena on Defendants within the next two weeks for documents and expects to complete the necessary discovery within the next 60 days assuming Defendants are cooperative.

We respectfully request that Plaintiff's deadline to move for a default judgment be adjourned *sine die*.

SO ORDERED:



HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

-----/s/-----
Michael Taubenfeld

Date: January 24, 2025

Plaintiff's deadline to move for a default judgment is adjourned *sine die*. Plaintiff shall file a letter with a status update by February 28, 2025.